

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL PROTACK,

Defendant.

Criminal Action No. 21-

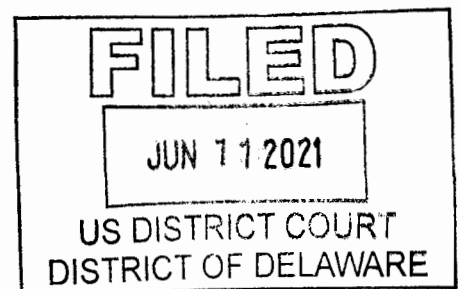
42-UNA

MOTION FOR DETENTION HEARING

NOW COMES the United States of America, by and through its attorneys, David C. Weiss, United States Attorney for the District of Delaware, and Briana M. Knox, Assistant United States Attorney for the District of Delaware, and moves for the pretrial detention of the Defendant, pursuant to 18 U.S.C. § 3142(d), (e) and (f). In support of the Motion, the United States alleges the following:

1. **Eligibility of Case.** This case is eligible for a detention order because case involves (check all that apply):

- ☒ Crime of violence (18 U.S.C. § 3156)
- ☐ Maximum sentence life imprisonment or death
- ☐ 10+ year drug offense
- ☐ Felony, with two prior convictions in above categories
- ☐ Minor victim
- ☐ Possession/use of firearm, destructive device, or other dangerous weapon
- ☐ Failure to register under 18 U.S.C. § 2250
- ☒ Serious risk Defendant will flee



_____ Serious risk obstruction of justice

2. **Reason For Detention.** The Court should detain Defendant because there are no conditions of release which will reasonably assure (**check one or both**):

 X Defendant's appearance as required

 X Safety of any other person and the community

3. **Rebuttable Presumption.** The United States **will not** invoke the rebuttable presumption against Defendant under § 3142(e). (If yes) The presumption applies because (**check one or both**):

_____ Probable cause to believe Defendant committed 10+ year drug offense or firearms offense, 18 U.S.C. § 924(c), or a federal crime of terrorism, or a specified offense (_____) with minor victim

_____ Previous conviction for "eligible" offense committed while on pretrial bond

4. **Time For Detention Hearing.** The United States requests the Court conduct the detention hearing,

_____ At first appearance

 X After continuance of 3 days (not more than 3).

5. **Temporary Detention.** The United States request the temporary detention of the Defendant under 18 U.S.C. Section 3142(d) for a period of _____ days (not more than 10) so that the appropriate officials can be notified since (**check A or B and C**):

A. At the time the offense was committed the Defendant was:

_____ (1) on release pending trial for a felony;

_____ (2) on release pending imposition or execution of sentence,
appeal of sentence or conviction, or completion of sentence for an offense;

_____ (3) on probation or parole for an offense.

B. _____ The Defendant is not a U.S. citizen or lawfully admitted permanent resident.

C. _____ The Defendant may flee or pose a danger to any other person or the
community.

6. **Immigration Status.**

_____ The Defendant is not a citizen of the U.S. or lawfully admitted for
permanent residence and is removable from the United States under
_____(list applicable statutory section), and therefore is subject to arrest by
an ICE officer should he/she be released from custody.

7. **Other Matters.**

DATED this 11th day of June, 2021.

Respectfully submitted,

DAVID C. WEISS
UNITED STATES ATTORNEY

BY: /s/ Briana Knox
Briana M. Knox
Assistant United States Attorney